



DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2005-04:** Is a public sidewalk that is part of an accessible route required to comply with ADAAG Section 4.3.1, where the public sidewalk crosses a driveway? Is an accessible route that crosses a driveway required to comply with the ADAAG Section 4.3.1, where the public sidewalk stops at the sides of the driveway and the driveway is a continuation of the roadway? Should AAC 96-01 and AAC 1998-20 be re-assessed in light of this interpretive opinion?

Ruling: For buildings or facilities subject to HRS §103-50,

ADAAG 4.3.1 Accessible Route. General.

Rescind AAC 96-01 and AAC 1998-20 and replace with the following ruling: “A public sidewalk that is part of an accessible route shall comply with ADAAG Section 4.3.1, when the public sidewalk crosses a driveway. When a public sidewalk that is part of an accessible route stops at the side of a driveway and the driveway is a continuation of the roadway, the public sidewalk shall comply with ADAAG Section 4.3.1 for a distance of 24 inches measured from the delineation between pedestrian route and vehicular way (e.g. curb line) into the driveway. Departments and consultants are not required to comply with the ADAAG, if the department and consultant deem compliance with the ADAAG structurally impracticable or technically infeasible.”

[Rul: 07/05] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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